

ORDERS FOR TUESDAY, APRIL 16, 1996

Mr. SIMPSON. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9:45 a.m. on Tuesday, April 16; further, that immediately following the prayer the Journal of proceedings be deemed approved to date; no resolutions come over under the rule; the call of the calendar be dispensed with; the morning hour be deemed to have expired; and the time for the two leaders be reserved for their use later in the day; and, that there then be a period for morning business until the hour of 10:45 a.m. with Senators to speak for up to 5 minutes each except for the following: Senator GRASSLEY for 15 minutes and Senator HATCH for 45 minutes.

I further ask unanimous consent that immediately following morning business the Senate resume consideration of S. 1664, the illegal immigration bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SIMPSON. Mr. President, I now ask unanimous consent that the Senate stand in recess from the hour of 12:30 until 2:15 for the weekly policy conferences to meet.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. SIMPSON. Mr. President, for the information of all Senators, following morning business the Senate will resume the immigration bill. There are several pending amendments. However, any votes ordered on those amendments will not occur until after the vote previously scheduled at 2:15.

As a reminder, there will be a cloture vote at 2:15 on Tuesday invoking cloture on the motion to proceed to the Whitewater resolution.

The Senate may also be asked to turn to any other legislative items that can be cleared for action.

ORDER FOR ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. SIMPSON. If there is no further business to come before the Senate, I now ask that the Senate stand in adjournment under the previous order following the remarks of my good colleague, Senator ABRAHAM of Michigan.

The PRESIDING OFFICER. Without objection, it is so ordered.

The distinguished Senator from Michigan is recognized.

Mr. ABRAHAM. Thank you very much, Mr. President. I will attempt to complete my remarks in a short period of time.

IMMIGRATION CONTROL AND FINANCIAL RESPONSIBILITY ACT OF 1996

Mr. ABRAHAM. Mr. President, I rise tonight to make an opening statement

with regard to the bill, S. 1664, on illegal immigration.

Let me begin by stating my support for this legislation. It is the product of much work in our Judiciary Committee and before that in the Immigration Subcommittee of the Judiciary Committee. And, in my judgment, although there are parts of the bill that I still hope to see us modify during the deliberations this week, it is an extraordinary piece of legislation which moves in the right direction, and it is in no small measure thanks to the Senator from Wyoming that we have this fine piece of legislation before us. His work both in the context of this legislation and over the past 17 years on immigration-related matters has been exceptional. It is a reflection of a Senator who is deeply committed to accomplishing a job that is difficult, and I commend him for it.

Mr. President, those who refuse to play by the rules who come here illegally become, as a result, a burden on our society, and it should not be tolerated. The illegal immigration is a betrayal of our long tradition of welcoming those who play by the rules. If the Federal Government did its job of keeping out, tracking down, and expelling illegal aliens, we would not have an immigration problem that confronts America today.

By definition, illegal immigrants are lawbreakers, and based on statistics, illegal immigrants are coming here at a very high rate. It is estimated at about 300,000 per year. Our bill to address illegal immigration, S. 1664, deals effectively and aggressively with the real problem of illegal immigration—reforms to our border patrols, our visa policies, criminal alien policies and rules concerning immigrant use of welfare.

First, with respect to border patrols, this bill begins in the obvious place, by fighting the problem of illegal immigration at the border. Our illegal immigration reform bill provides for the addition of 4,700 Border Patrol agents over the next 5 years, a 90 percent increase over the current level. It adds 300 new INS investigators for the next 3 years to investigate the smuggling and employment of illegal aliens, an increase of nearly 100 percent over current levels. These increases will help us address the fundamental, the basic problem of illegal immigration by providing the manpower necessary to address the problem of those who come to this country without proper documentation. That is only a start of how this bill attempts to reform the immigration laws as they pertain to illegal immigrants.

Another category of illegal aliens is those who overstay their visas, aliens who come here legally but then overstay. This bill addresses that problem and forcefully.

First, it establishes the first substantial penalties for visa overstays.

Second, it bars visa overstayers for even applying for a new visa for 5 years

if they fail to appear for a deportation hearing. It also charges 300 INS investigators to seek out these aliens and to enforce the bill's rules.

It is important to keep in mind that contrary to some charges made over recent weeks, visa overstayers commonly are not individuals who come here on permanent family visas. Rather, the bulk of visa overstayers come to this country as tourists or students, then stay beyond the expiration of their visas.

Thus, it is wise and fitting that we should address those who break the law, those who overstay the visa, with sharp, stiff penalties rather than attempting to address this problem by changing in some ways the penalties for those who are playing by the rules either by reducing the number of immigrants who may come to this country or dealing with those who are in fact not creating the problem.

A third area which this bill addresses and which I have been very active in working on pertains to criminal aliens. By conservative estimates, almost half a million felons are living in this country illegally. These aliens have been convicted of murder, rape, drug trafficking, potentially such crimes as espionage, sabotage, treason and/or a number of other serious crimes and are therefore, under the current laws of our country, deportable.

Unfortunately, in the vast majority of cases, our officials cannot deport these criminals because of a breakdown in the deportation process. Principally, the problem relates to the interminable amount of appeals which deportable aliens who are criminals have at their disposal. As a consequence, many of these noncitizen lawbreakers end up back on our streets to prey on law-abiding American citizens.

In the original bill of the Senator from Wyoming, a number of needed provisions were contained. That bill originally directed the Attorney General to provide regulations permitting special inquiry officers to enter final orders of deportation stipulated to by the alien. It authorized Federal judges to order deportation as a condition of probation. And it made other similar efforts to address the criminal alien problem.

I am glad, however, that the Judiciary Committee saw fit to go even further and to add to and strengthen these provisions by adopting four amendments on which I worked with a number of other Senators on the committee to see adopted. These amendments would create expedited procedures for deporting criminal aliens. The provisions would first prohibit the Attorney General from releasing such criminal aliens from custody; second, end judicial review for orders of deportation entered against these criminal aliens while maintaining the right to administrative review.

In short, once the criminal alien had exhausted all appeals available under the criminal laws, the criminal alien